

REMARKS

Claims 1-7 stand rejected under 35 USC 112, second paragraph, as being indefinite.

Applicants' amendments to claim 1 have mooted this rejection.

Claims 1 and 3-5 stand rejected under 35 USC 102(e) on Yamazaki (U.S. Patent No. 6,373,675). Applicants respectfully traverse this rejection.

Applicants have amended claim 1 to recite that, "the at least one conductor is positioned at least partially in the air gap." Yamazaki does not disclose or suggest such a feature.

Yamazaki discloses a pure reluctance drive. This drive is an electromagnetic drive for a switch having at least one magnetic body which delimits an air gap. In contrast to claim 1, Yamazaki does not disclose or suggest a moving part which is arranged in the air gap. Figure 3 of Yamazaki shows an electromagnetic winding 10, which is used as a conductor. As explained at col. 5, lines 41-68, the electromagnetic winding 10 is used to decrease the flux of the permanent magnet in order to allow the forces generated by the spring elements 6 and 11 to separate the moving part 4 from the yoke.

Yamazaki does not disclose or suggest positioning a conductor at least partially in the air gap to take advantage of the Lorentz forces as recite in claim 1. Claim 1 is therefore allowable. Claims 3-5 depend from claim 1 and are allowable due at least to their respective dependencies.

Claims 1 and 3-7 stand rejected under 35 USC 102(b) on Toshiba (EP 1124244). Applicants respectfully traverse this rejection.

Toshiba discloses a rotary drive which, similar to Yamazaki, utilizes only reluctance forces. The coils of the drive are used only to weaken the magnetic fields produced by the permanent magnets, thereby allowing the moving part to be separated from the yoke. As in the case of Yamazaki, Toshiba also fails to disclose or suggest positioning a conductor at least partially in the air gap to take advantage of the Lorentz forces as recite in claim 1. Claim 1 is therefore allowable. Claims 3-7 depend from claim 1 and are allowable due at least to their respective dependencies.

Claim 2 stands rejected under 35 USC 103(a) on both Toshiba and Yamazaki. Applicants respectfully traverse this rejection. As discussed above, neither Toshiba nor Yamazaki disclose or suggest positioning a conductor at least partially in the air gap to take advantage of the Lorentz forces as recite in claim 1. Accordingly, claim 2, which depends from allowable claim 1, is therefore allowable due at least to its dependency.


Claim 8 has been added to round out the scope of the claims. No new matter has been added.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **449122081600**.

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